

SAGUACHE COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MEETING
TUESDAY, FEBRUARY 2, 2016

MINUTES

CALL TO ORDER:

The meeting was Called to Order by Board Chair, Jason Anderson at 9:01 A.M., with the following members present:

Jason Anderson, Commissioner, Board Chairman
Ken Anderson, Commissioner
Tim Lovato, Commissioner
Lyn Lambert, County Co-Administrator
Wendi Maez, Land Use Administrator, County Co-Administrator
Ben Gibbons, County Attorney
Carla Gomez, Clerk to the Board

PLEDGE OF ALLEGIANCE:

Board Chair, Jason Anderson, invited those in attendance to join in reciting the Pledge of Allegiance.

ADDITIONS/DELETIONS TO AGENDA:

1. Add Executive Session to Attorney Ben Gibbons' time for personnel and legal matters.
2. Add Executive Session for Department of Public Health.

MOTION BY COMMISSIONER LOVATO TO "APPROVE" THE AGENDA AS AMENDED.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

READING AND APPROVAL OF MINUTES:

MOTION BY COMMISSIONER KEN ANDERSON TO "APPROVE" THE MINUTES OF THE JANUARY 19, 2016, REGULAR SESSION MEETING.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

REVIEW OF MAIL AND OTHER CORRESPONDENCE:

1. **Gunnison County** sent the Gunnison County Weed Management Program 2015 Annual Report.
2. **Claude B. DeHerrera** sent a letter to the Board stating that their land located on 626 Worth Street, Center Co is for sale. (1/20/16)
3. **PLAA (Public Land Access Association)** sent an invitation to attend a workshop regarding Myths About RS2477 (1) 1867 Mining Law, containing RS 2477; (2) Research and field examination methods; and (3) strategies and tactics available under Kane County v Wilderness Society and other related federal decisions. March 15, 2016 at 6:00 p.m. in Grand Junction, CO. RSVP requested.
4. **Erika Bestor, from The Public Group**, sent an email requesting information regarding public surplus auctions. (1/28/2016)
5. **Trail Tales, the Newsletter of the La Vereda del Norte Chapter of the Old Spanish Trail Association**, sent a copy of the January 2016 newsletter.
6. **Neighbors Helping Neighbors** sent a thank you note to the Board. (1/29/16)
7. **State of Colorado Division of Property Taxation** sent a final determination regarding Cornerstone Community Services, (tract 2, Redeemer Ranch Division of Land). (1/27/2016)
8. **Paul Duarte** sent a reminder of the revisit of the Annual Fire Operation Plan. Meeting is 10:00 a.m. on February 9, 2016 at the Road and Bridge office. (1/26/16)

INTRODUCTION OF GUESTS:

Andrew Archuleta, BLM
Christine Canaly, SLVEC
Sandia Belgrade, Crestone Eagle

PUBLIC COMMENT:

Ms. Belgrade requested an update on drones. *Response: No update available.*

COMMISSIONER'S REPORTS:

Commissioners Report Jason Anderson 1/20-2/1 2016:

- 1/21 Taught "Issues in Local Government" at the Crestone Charter School High School class.
- 1/22 Met with Kim Smoyer as part of a survey to find the feasibility of a SLV community fund.
- 1/22 Spoke with Tom Lindsey, a rancher from Texas inquiring about purchasing land in Saguache County to establish a recreational marijuana operation.
- 1/25 Attended the Valley-wide Commissioners meeting
- 1/26 Spoke with Lonny Roth, Crestone resident and business owner concerning taxes.
- 1/27 Spoke with Christian Sederberg an attorney referred by Eric Bergman at CCI who is an expert on crafting marijuana policy for counties that allow retail businesses.
- 1/28/29 Attended the Opening Steering committee sessions for CCI.
- 1/28 Had the honor of being elected Vice-chair of the Tourism, Resorts and Economic Development Steering Committee for CCI.
- 1/29 Met with Commissioner Rodger Partridge of Douglas County to clarify their Board of Commissioners stand on water acquisition from other basins.

District III Commissioner's Report – Tim Lovato:**February 2, 2016**

January 22nd – Attended the Court House Security Meeting at the Saguache County Courthouse.

Topics of discussion were the need of having limited access to the west door and disabling the security cards that are out and unaccounted for. The Sheriff's Department was awarded the additional funds for the over run on security for the back fill single point entry. The Courthouse Security program will sunset in 2017, the need for support from legislators and commissioners to support and continue the program was discussed.

January 25th – Attended the San Luis Valley commissioner's meeting in Alamosa. At 4:30 in the afternoon I attended the All Valley Hazards meeting.

January 27th – Received a call from a citizen on why the county was selling the pickup with a snow plow and what all was wrong with it. I met with Co-Administrator Lyn Lambert on the budget for Public Health.

January 29th – Attended the Saguache County Museum board meeting in the afternoon at the Saguache County Museum. The board elected officers and discussed the by-laws that they operate under.

Commissioner Ken Anderson;

January 21 – DIA

January 21, 22 – Rocky Mountain Farmer's Union meeting on water legislation

January 25 – San Luis Valley Board of County Commissioner's meeting, COG and DRG

January 27 – Met with Center Police Department and the Town Administrator.

January 29 – In Pueblo at the Hudson Ranch for 4H Foundation

LYN LAMBERT AND WENDI MAEZ, CO-ADMINISTRATORS – ADMINISTRATIVE REPORT:

Administration report for Tuesday, February 2, 2016

1. Letter of Support/Cooperative Agreement between Saguache County and Conejos Clean Water and SLV Ecosystem Council discussion.
2. Mr. Michael Horan requested to donate a bronze bench to Saguache County during the last meeting. Mr. Horan spoke with Road and Bridge Supervisor Randy Arredondo and asked that he come get the bench. The bench is at the Road and Bridge meeting room. Would you like to leave the bench at R&B or move it to the Courthouse lawn? **Response: In the Spring.**
3. MOU between the US Forest Service Rio Grande Nation Forest and Valley Counties. This request was presented during the Valley BOCC meeting on Monday, January 25, 2016. I have not received the updated version with all of the information as of yet but we will need a motion to sign if you so choose.
4. Maez and Maintenance Director Pete Garcia met with Christy Culp and Tim Stroh from DOLA concerning the RFP for the request of the study of the engineering designs. Maez will present the RFP created when competed for Commissioners approval. **Commissioner Ken Anderson appointed to assist.**

BOCC SCHEDULE:

WENDI MAEZ, LAND USE ADMINISTRATOR, AIRPORT MANAGER:

Land Use Report:

1. Land Use fee update – fee schedule attached for discussion.

MOTION BY COMMISSIONER LOVATO TO “APPROVE” THE FEE AMOUNT INCREASE FOR THE FOLLOWING SAGUACHE COUNTY FEE SCHEDULE PERMITS, EFFECTIVE THIS DATE, FEBRUARY 2, 2016:

- “CONDITIONAL USE – MARIJUANA USE PERMIT”, INCREASE TO \$3000 FROM \$1150.
- “CONDITIONAL USE PERMIT” INCREASE TO \$1,000 FROM \$650.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

2. I have a request for a reduction in fees for a 43,000 square foot agricultural building from \$.12 to \$.09.

MOTION BY COMMISSIONER KEN ANDERSON TO “REDUCE” THE FEES FOR THE CONSTRUCTION PERMIT FOR AN AGRICULTURAL BUILDING OWNED BY MARLIN SAUDER FROM \$.12 TO \$.09, EFFECTIVE THIS DATE, FEBRUARY 2, 2016:

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

3. Marijuana Task Force update:
 - a. Saguache County Planning Commission has recommended appointment of Anne Nielsen to the Marijuana Task Force.
 - b. First meeting of the Task Force will be February 4, 2016, at 9am at the Saguache County Road & Bridge meeting room.
4. Crestone/Baca Planning Commission reviewed Bruce Elaine Waltemyer’s (Signing Song) Conditional Use request during their meeting on January 13, 2016 and have requested that she re-submit her application and letter of intent to show the updates and mitigation efforts they are going to do. They will have to have the information to me by February 26th for discussion with the CBPC during their March meeting.

Airport Manager Report:

- a. Is Maez the Leach and Saguache Airport manager? *Response: Both, Saguache and Leach airports.*
- b. Hanger rental requests
- c. Water Well – Substitute Water Supply Plan – Court Water Degree Change.
I met with Pat McDermott on Tuesday, January 26, 2016 to discuss options for the Leach Airport Commercial Water Well located at Leach Airport. We will need to decide if we want to do a Water Court Application through an attorney or a water referee. There will be a fee for the SWSP of \$300 and a court filing fee of \$474.
- d. The application for the re-drill of the water well has been filed.
- e. RFP for re-drill of the water well will be attached for your review today as well.
- f. SLV Irrigation District water assessment fee is due in the amount of \$469. What account should that be paid from? *Response: Leach Airport Budget line item*

- g. Saguache County is taking Requests for Proposals for a water well to be re-drilled on the Leach Airport property, east of Center, CO. The Board of County Commissioners would like for the RFP's to in to the Saguache County Land Use office no later than Thursday, March 3, 2016 at 3pm.

Saguache County will have all necessary permits and paperwork completed prior to well drilling. Contractor will be responsible for providing necessary machinery and equipment to perform such proposal and submit all well permit completion reports to the Colorado Division of Water Resources and Saguache County.

Contractor must be a licensed driller in the State of Colorado and must supply a copy of driller license.

Location of well is located north of the runway south of entrance west of hangars.

Legal description – SE1/4 24-41N-8E, NMPM

Well Permit #W2135 – 6 Permit #9923, well depth 230ft.

Please contact Wendi Maez at 719-655-2321 or wmaez@saguachecounty-co.gov for more information and to see a copy of the permit for drilling.

GINGER STRINGER, DEPARTMENT OF PUBLIC HEALTH MONTHLY REPORT - ATTACHED:

**MOTION BY COMMISSIONER KEN ANDERSON TO ENTER INTO EXECUTIVE SESSION
FOR PERSONNEL MATTERS UNDER C.R.S. 24-6-402=(4)(f)(I) AT 10:56 A.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

**MOTION BY COMMISSIONER KEN ANDERSON TO RETURN TO REGULAR SESSION
AT 11:20 A.M.**

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

DEPARTMENT HEAD REPORTS:

JIM FELMLEE, OEM DIRECTOR: Emergency Manager's Quarterly Report January 2016

- 01/05/2016 Attended CONG Exercise Planning Meeting
- 01/05/2016 Participated in The multi Hazard Mitigation Planning Meeting
- 01/06/2016 Participated in the SLV DTR MAC Drill *
- 01/08/2016 CONG Blizzard Exercise cancelled
- 01/12/2016 Attended SEMTAC
- 01/13/2016 Attended SEMTAC
- 01/14/2016 Attended SEMTAC
- 01/15/2016 Turned in 4th Quarter EMPG report
- 01/19/2016 Met With Jeff Babcock regarding Homeland Security Grant

- 01/21/2016 Attended and Presented at SLV Health Care Coalition
- 01/21/2016 Attended RETAC Meeting, discussed transportation for vulnerable populations during a disaster
- 01/25/2016 Attended ESF 5 Workshop (Mitigation Plan())
- 01/25/2016 Chaired LEPC Meeting
- 01/25/2016 Chaired SLV All Hazards Meeting
- 01/27/2016 Met with Rio Grande Commissioners regarding HMPG Grant fiscal agent
- 11/13/2015 Participated in the Sanford Schools Active Shooter Functional Exercise as an evaluator
- 11/17/2015 met with Jeff Babcock Homeland security
- 11/18/2015 Participated In the Coordinator workshop
- 11/19/2015 Met with Sydnal Schalit Regarding 12 Hours Of Penitence Bike race
- 11/24/2015 Met with Jon Montano SLV RETAC
- Need To Discuss Tabletop Exercise and Fiscal agent for HMPG Grant
- 01/05/2016 Attended CONG Exercise Planning Meeting

RANDAL ARREDONDO, ROAD & BRIDGE SUPERVISOR:

Mr. Arredondo reports that he has been provided the paperwork from Davis Engineering for the County Landfill and is requesting an opinion from the County Attorney as to the process to modify the landfill. He also presented the HUT report for 2015 for signature by the Board in order to submit the report to the State.

Mr. Arredondo informed the Board that he has received bids for the sale of two (2) vehicles owned by the County. Request for Bids was posted in the Saguache Crescent:

1. 1996 FORD F250 – 3 BIDS RECEIVED: \$1,111, \$1,525, \$2,600

MOTION BY COMMISSIONER LOVATO TO ACCEPT THE HIGHEST BID, \$2,600 SUBMITTED BY PETER PETERSON. IN THE FUTURE, SEALED BIDS WILL BE SUBMITTED TO THE BOARD OF COMMISSIONERS.

SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

2. 1972 MOTOR GRADER – 2 BIDS RECEIVED: \$5,099 AND \$6,130

MOTION BY COMMISSIONER KEN ANDERSON TO ACCEPT THE HIGHEST BID, \$6,130 SUBMITTED BY TERRY FREEL.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3 VOTES AGAINST: 0

MOTION CARRIED

Discussion regarding assistance to schools with gravel and such. Mr. Arredondo states that he receives Federal funds for Safe Passage and has helped schools in the past with a small amount of sand. He will continue to do so at no charge if they are in the area.

CONNIE TRUJILLO, COUNTY TREASURER/PUBLIC TRUSTEE QUARTERLY REPORT:

Ms. Trujillo provided her 4th Quarter/Year End Report for Board review.

PUBLIC LANDS MONTHLY DISCUSSION:

Andrew Archuleta was present, discussing the following issues:

- Success of the 12 Hours at Penetiente event
- Plan for special Nordic track in Crestone
- Viaero extension proposals
- Gunnison Sage Grouse
- Plan for weed treatment
- Land and water conservation
- Powerline over Poncha
- Road closures

BEN GIBBONS, COUNTY ATTORNEY:

Sheriff Dan Warwick was present to discuss the proposed contract, in the amount of \$50,000, with the Town of Saguache for a deputy to patrol within the Town. Expenses for the position and a sheriff's vehicle will be paid by the Town. Insurance would be covered by the Sheriff, this is a new position.

MOTION BY COMMISSIONER KEN ANDERSON TO "APPROVE" THE CONTRACT AGREEMENT BETWEEN THE TOWN OF SAGUACHE AND THE SAGUACHE COUNTY SHERIFF FOR LAW ENFORCEMENT SERVICES WITHIN THE TOWN.

SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3

VOTES AGAINST: 0

MOTION CARRIED

RENEE HAZARD LETTER:

Ms. Hazard was present to discuss her letter addressed to the Board regarding the requirement for employees to attend the County sponsored employee Christmas dinner, with the remainder of the day off, or if not attending the dinner to take annual leave. She inquired as to how attendance was taken, who attended the dinner and who took vacation. She also asked to look at the time sheets. Attorney Gibbons will check into the public access to those records.

MOTION BY COMMISSIONER LOVATO TO ENTER INTO EXECUTIVE SESSION FOR LEGAL COUNSEL UNDER C.R.S. 24-6-402(4)(b) AT 2:09 P.M.
SECOND BY COMMISSIONER KEN ANDERSON

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

MICHAEL HORNBACK – 401K

Mr. Hornback, representing Eagle Insurance Company, present to discuss the idea of using annuities to fund 401Ks. He was informed that there is a process he should follow with the committee responsible for this benefit.

CONSERVATION TRUST FUNDS – WENDI MAEZ:

Discuss at next meeting.

BILL PAYING

ADJOURN: There being no further business:

MOTION BY COMMISSIONER KEN ANDERSON TO ADJOURN AT 3:47 P.M.
SECOND BY COMMISSIONER LOVATO

VOTES IN FAVOR: 3
MOTION CARRIED

VOTES AGAINST: 0

MINUTES PREPARED BY:


CARLA GOMEZ, CLERK TO THE BOARD


MINUTES APPROVED: March 15, 2016




JASON ANDERSON, COMMISSIONER
BOARD CHAIR


KEN ANDERSON, COMMISSIONER


TIM LOVATO, COMMISSIONER


ATTEST
CARLA GOMEZ
CLERK & RECORDER